

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ZAKIYYA SHABAZZ, et al.,)	
)	
Plaintiffs,)	
)	
v.)	NO. 3:07-0653
)	
ASURION INSURANCE SERVICES,)	Judge Echols/Bryant
INC., et al.,)	Jury Demand
)	
Defendants.)	

O R D E R

A telephone conference with the undersigned Magistrate Judge was conducted on February 29, 2008, to discuss plaintiffs' unopposed motion for status conference and for extension of time to make expert disclosures. (Docket Entry No. 81). Mr. Martin appeared on behalf of plaintiffs and Ms. Dent and Mr. Webber participated on behalf of defendants.

The parties called to the Court's attention the upcoming deadline of March 5, 2008, for disclosure of plaintiffs' expert witnesses and their opinions. (Docket Entry No. 28, para. 7). The deadline for the disclosure of defendants' experts is currently May 5, 2008. The parties stated to the undersigned Magistrate Judge that in this kind of case the expert witnesses on damages typically formulate their opinions based upon specific persons who are determined to be members of the defined class. However, in this case, the plaintiffs' amended motion for conditional certification (Docket Entry No. 33) is currently pending before the Court. Until this motion is decided, the parties cannot know whether a class

will be certified and, if so, how it will be defined. Counsel for both parties expressed concern that their experts will be unable to formulate their necessary opinions unless and until a class is defined.

In view of the foregoing, the undersigned Magistrate Judge hereby **GRANTS** plaintiffs' motion for extension of time to make expert disclosures, and hereby **EXTENDS** the deadline for plaintiffs to disclose their experts and their opinions to **April 5, 2008**. All other deadlines shall remain unchanged. The undersigned Magistrate Judge recognizes that this ruling in effect cuts in half the time originally allotted for defendants to review the plaintiffs' expert witness disclosures and to make disclosures of their own. If the parties obtain relief from the District Judge regarding the current trial date, the undersigned Magistrate Judge will entertain a motion to restore this lost time to the defendants.

It is so **ORDERED**.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge